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Attorneys for Defendant

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

US RIGHT TO KNOW,

Plaintiff,

v.

UNITED STATES DEFENSE
INTELLIGENCE AGENCY,

Defendant.

CASE NO. 23-cv-2936-TSH

**STIPULATION AND [PROPOSED] ORDER RE
CASE MANAGEMENT CONFERENCE AND
ASSOCIATED DEADLINES**

STIPULATION AND [PROPOSED] ORDER RE CASE MANAGEMENT CONFERENCE AND ASSOCIATED
DEADLINES

NO. 23-CV-2936 TSH

1 Plaintiff, US Right to Know (“Plaintiff” or “USRTK”) and Defendant, the United States Defense
2 Intelligence Agency, submit this stipulation pursuant to Local Civil Rule 6-2 to continue the initial case
3 management conference and associated deadlines from January 4, 2024 to February 15, 2024 at 10:00
4 a.m.

5 **STIPULATION**

6 WHEREAS, Plaintiff, US Right to Know filed a Freedom of Information Act (“FOIA”) complaint
7 on June 14, 2023. ECF No. 1.

8 WHEREAS, the Defendant, United States Defense Intelligence Agency (“DIA” or “the Agency”),
9 provided a final response to Plaintiff’s FOIA request on August 22, 2023 and an amended final response
10 on August 23, 2023. On August 23, 2023, the Agency filed a response to the Complaint and a corrected
11 answer on August 24, 2023. ECF Nos. 20, 21.

12 WHEREAS, the parties are working together cooperatively in this case. On August 23, 2023,
13 Defendant provided Plaintiff with an amended response to Plaintiff’s FOIA request which included one
14 agency record responsive to the Request, and one agency record on which exemptions have been applied.
15 On August 31, 2023, the Court entered a Stipulation and Order extending the initial case management
16 conference and all associated deadlines from September 14, 2023 to October 26, 2023. ECF No. 25. On
17 October 20, 2023, the Court entered a Stipulation and Order extending the initial case management
18 conference and all associated deadlines from October 26, 2023 to November 30, 2023 to allow the parties
19 additional time to resolve the merits of this action without judicial intervention. ECF No. 27.

20 WHEREAS, on or about November 2, 2023, the parties reached an agreement as to the merits of
21 Plaintiff’s FOIA request and agreed that the substantive issues related to the merits were resolved.

22 WHEREAS, on November 20, 2023, the Court entered a Stipulation and Order extending the initial
23 case management conference and all associated deadlines from November 30, 2023 to January 4, 2023 to
24 allow the parties additional time to resolve the sole remaining issue of attorneys’ fees without judicial
25 intervention. ECF No. 29. Currently, Plaintiff has already provided a settlement demand. Although
26 Defendant does not concede that Plaintiff is either eligible or entitled to attorneys’ fees in this matter;
27 Defendant requires additional time to be able to fully respond and the parties would benefit from additional
28

time to attempt to resolve this issue without the need for judicial intervention.

WHEREAS, the requested continuance is not expected to have any adverse impact on the schedule for the case and serves the judicial economy by allowing the parties additional time to attempt to resolve this matter without the need for further judicial intervention, hereby STIPULATED by and between the parties, through the undersigned counsel that the initial case management conference, along with the associated deadlines is continued from January 4, 2024 to February 15, 2024 at 10:00 a.m.

DATED: December 22, 2023

ISMAIL J. RAMSEY
United States Attorney

/s/ Valerie E. Smith*
VALERIE E. SMITH
Assistant United States Attorney

Attorneys for the Federal Defendant

DATED: December 22, 2023

/s/ Daniel C. Snyder
DANIEL C. SNYDER

/s/ Lily Anne Rivo
LILY ANNE RIVO
GREENFIRE LAW, PC

Attorneys for Plaintiff

**In compliance with Civil Local Rule 5-1(i)(3), the filer of this document attests under penalty of perjury that all signatories have concurred in the filing of this document.*

[PROPOSED] ORDER

Pursuant to the stipulation of the parties and good cause appearing, IT IS HEREBY ORDERED that the case management conference currently scheduled for January 4, 2024 at 10:00 a.m. to February 15, 2024 at 10:00 a.m. A case management statement shall be filed seven days before the case management conference.

IT IS SO ORDERED.

Date: _____

THE HON. THOMAS S. HIXSON
UNITED STATES MAGISTRATE JUDGE